

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JONATHAN GOMEZ NORIEGA,

Plaintiff,

v.

THE CITY OF JERSEY CITY; MAYOR STEVEN FULOP (individually and in his official capacity as Mayor of the City of Jersey City); KIMBERLY WALLACE SCALCIONE (individually and in her official capacity as Press Secretary/Spokesperson for the City of Jersey City); JOHN MINELLA (individually and in his official capacity as Mayor Fulop's Chief of Staff); JOHN METRO (individually and in his official capacity as Jersey City Manager); MOBIN YOUSAF (individually and in her official capacity as Jersey City Director, Employee Relations & Workforce Management); JOHN DOE (1-10),

Defendants.

CASE NO. 2:24-CV-10599-WJM-JRA

CIVIL ACTION

**STIPULATION AND [PROPOSED] ORDER SETTING SCHEDULE
FOR PLAINTIFF'S MOTION FOR LEAVE TO AMEND**

WHEREAS, plaintiff Jonathan Gomez Noriega ("Plaintiff") filed the Complaint in this action on November 20, 2024 (ECF No. 1);

WHEREAS, Defendants moved to dismiss the Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on January 31, 2025. (ECF No. 14.) That motion was fully briefed on March 10, 2025. (ECF Nos. 18, 20.);

WHEREAS, the Court issued an Opinion and an Order granting in part and denying in part Defendants' motion to dismiss on April 14, 2025. (ECF Nos. 21, 22.) Specifically, the Court granted Defendants' motion to dismiss with respect to Counts Three, Four, Five, and Six of the Complaint, granted Defendants' Motion to dismiss Count One with respect to Defendant Mobin

Yousaf only, and otherwise denied the motion. (ECF No. 22 at 1–2.) As a result of the Court’s decision on Defendants’ motion to dismiss, the only remaining defendants are The City of New Jersey and Mayor Steven Fulop;

WHEREAS, Defendants filed an application pursuant to Local Rule 6.1(b) for a Clerk’s Order to extend the time within which Defendants may answer Plaintiff’s Complaint on April 24, 2025 (ECF No. 23.);

WHEREAS, the Clerk of the Court granted Defendants’ application and proposed order, extending Defendants’ time to answer Plaintiff’s Complaint from April 28, 2025, to May 12, 2025;

WHEREAS, Plaintiff intends to move for leave to amend the Complaint to assert new claims against defendants The City of Jersey City, Mayor Fulop, and John Metro;

WHEREAS, Defendants intend to oppose the motion for leave to amend; and

WHEREAS, Plaintiff and Defendants agree that Defendants should not be obligated to respond to the Complaint while Plaintiff’s motion for leave to amend is pending.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their respective undersigned counsel, as follows:

1. Plaintiff shall file his Motion for Leave to Amend the Complaint on or before May 23, 2025;
2. Defendants shall file any papers in opposition to Plaintiff’s Motion for Leave to Amend the Complaint on or before June 2, 2025.
3. Plaintiff shall file any reply papers in further support of his Motion for Leave to Amend on or before June 9, 2025.
4. Defendants’ obligation to answer the Complaint is stayed pending further Order from the Court following its resolution of Plaintiff’s leave to amend.

AGREED AS TO FORM AND SUBSTANCE

Dated: May 9, 2025

SEKAS LAW GROUP, LLC

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Attorneys for Plaintiff Jonathan Gomez Noriega

SO ORDERED.

Date:

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HON. WILLIAM J. MARTINI
UNITED STATES DISTRICT JUDGE